



General Assembly

January Session, 2005

Raised Bill No. 1127

LCO No. 3642

* _____SB01127JUD___041505_____*

Referred to Committee on Government Administration and
Elections

Introduced by:
(GAE)

***AN ACT CONCERNING AUTOPSY REPORTS OF PERSONS WHO
DIED AS A RESULT OF POLICE ACTIONS.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 19a-411 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The Office of the Chief Medical Examiner shall keep full and
4 complete records properly indexed, giving the name, if known, of
5 every person whose death is investigated, the place where the body
6 was found, the date, cause and manner of death and containing all
7 other relevant information concerning the death and a copy of the
8 death certificate. The full report and detailed findings of the autopsy
9 and toxicological and other scientific investigation, if any, shall be a
10 part of the record in each case. The office shall promptly notify the
11 state's attorney having jurisdiction of such death and deliver to the
12 state's attorney copies of all pertinent records relating to every death in
13 which further investigation may be advisable. Any state's attorney,
14 chief of police or other law enforcement official may, upon request,
15 secure copies of such records or other information deemed necessary

16 by such official for the performance of his or her official duties.

17 (b) The report of examinations conducted by the Chief Medical
18 Examiner, Deputy Chief Medical Examiner, an associate medical
19 examiner or an authorized assistant medical examiner, and of the
20 autopsy and other scientific findings may be made available to the
21 public only through the Office of the Chief Medical Examiner and in
22 accordance with this section, section 1-210 and the regulations of the
23 commission. Any person may obtain copies of such records upon such
24 conditions and payment of such fees as may be prescribed by the
25 commission, except that no person with a legitimate interest in the
26 records shall be denied access to such records, and no person may be
27 denied access to records concerning a person in the custody of the state
28 at the time of death. Any person may obtain copies of such records
29 concerning a person who died directly or indirectly as the result of any
30 police action or activity upon such conditions and payment of such
31 fees as may be prescribed by the commission, provided such disclosure
32 shall be made in accordance with the provisions of subdivision (3) of
33 subsection (b) of section 1-210. As used in this section, a "person in the
34 custody of the state" is a person committed to the custody of (1) the
35 Commissioner of Correction for confinement in a correctional
36 institution or facility or a community residence, (2) the Commissioner
37 of Children and Families, or (3) the Commissioner of Mental
38 Retardation, and "police action or activity" means any act undertaken
39 by any state, town or municipal law enforcement officer in the
40 furtherance or course of conducting such officer's duties.

41 (c) Upon application by the Chief Medical Examiner or state's
42 attorney to the superior court for the judicial district in which the
43 death occurred, or to any judge of the superior court in such judicial
44 district when said court is not then sitting, said court or such judge
45 may limit such disclosure to the extent that there is a showing by the
46 Chief Medical Examiner or state's attorney of compelling public
47 interest against disclosure of any particular document or documents.
48 Public authorities, professional, medical, legal or scientific bodies or

49 universities or similar research bodies may, in the discretion of the
50 commission, have access to all records upon such conditions and
51 payment of such fees as may be prescribed by the commission. Where
52 such information is made available for scientific or research purposes,
53 such conditions shall include a requirement that the identity of the
54 deceased persons shall remain confidential and shall not be published.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	19a-411

GAE *Joint Favorable C/R*

JUD

JUD *Joint Favorable*